

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65220 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- BYPASS District- Patna

1. Bhola Mahto S/O Nanhak Mahto R/O Muhalla- Bahri Dhawalpura Paijawa, P.S.- Bypass, District- Patna
2. Kavita Devi W/O Bhola Mahto R/O Muhalla- Bahri Dhawalpura Paijawa, P.S.- Bypass, District- Patna
3. Neeraj Mahto S/O Bhola Mahto R/O Muhalla- Bahri Dhawalpura Paijawa, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deep Anshuman, Adv.
For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 17-12-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in connection with Bypass P.S. Case No. 159 of 2025, dated 01.04.2025 registered under Sections 126(2), 115(2), 125, 109, 352, 3(5) of the B.N.S.

3. The prosecution case, in brief, is that on 01.04.2025 when the informant was doing the construction work in his house, in the meantime, the petitioners along with other co-accused came in his house and started abusing and pelting bricks and pressed the neck of the informant with intention to kill him. When the brother of the informant namely Gurudeo



Singh came to save his brother, the petitioners and co-accused also assaulted his brother with bricks on his nose. Thereafter, the informant and his brother went to N.M.C.H., Patna for treatment.

4. Learned counsel for the petitioners submits that for an incident dated 01.04.2025, the wife of the petitioner no.1 (Bhola Mahto) has lodged F.I.R. with allegation that the brother of the informant in the instant case has misbehaved with Priya Rani (daughter of the informant) and the F.I.R. bearing Bypass P.S. Case No. 160 of 2025 has been registered under Sections 126(2), 115(2), 125, 74, 352, 351(2), 351(3), 303(2), (3), (5) of the B.N.S. and in order to get over the same, the instant case is said to have been lodged, wherein it is said that the brother of the informant namely Gurudeo Singh has sustained injury during course of scuffle, which is simple in nature.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts that there is case and counter case, free fight has been taken place between both the parties, the wife of the petitioner no.1 (Bhola Mahto) has lodged F.I.R. with allegation that the brother of the informant in the instant case has misbehaved with Priya Rani (daughter of the informant) and the F.I.R. bearing Bypass P.S. Case No. 160 of 2025 has been



registered against him.

7. Be that as it may, considering the fact that there is case and counter case and injury received by the brother of the informant being simple in nature, let the above named petitioners, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of the learned J.M., 1st Class, Patna in connection with Bypass P.S. Case No. 159 of 2025, subject to the condition as laid down under Section 482 of the B.N.S. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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